

1                                   A bill to be entitled  
 2           An act relating to workers' compensation fees;  
 3           amending s. 440.13, F.S.; revising the maximum  
 4           reimbursement allowance for inpatient hospital care;  
 5           revising a date by which the panel shall approve the  
 6           allowance; revising the maximum compensable charges  
 7           for hospital outpatient care; making a conforming  
 8           change; providing an effective date.

9  
 10   Be It Enacted by the Legislature of the State of Florida:

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 12           Section 1. Paragraph (a) of subsection (12) of section  
 13   440.13, Florida Statutes, is amended to read:

14           440.13 Medical services and supplies; penalty for  
 15   violations; limitations.—

16           (12) CREATION OF THREE-MEMBER PANEL; GUIDES OF MAXIMUM  
 17   REIMBURSEMENT ALLOWANCES.—

18           (a) A three-member panel is created, consisting of the  
 19   Chief Financial Officer, or the Chief Financial Officer's  
 20   designee, and two members to be appointed by the Governor,  
 21   subject to confirmation by the Senate, one member who, on  
 22   account of present or previous vocation, employment, or  
 23   affiliation, shall be classified as a representative of  
 24   employers, the other member who, on account of previous  
 25   vocation, employment, or affiliation, shall be classified as a  
 26   representative of employees. The panel shall determine statewide

27 | schedules of maximum reimbursement allowances for medically  
 28 | necessary treatment, care, and attendance provided by  
 29 | physicians, hospitals, ambulatory surgical centers, work-  
 30 | hardening programs, pain programs, and durable medical  
 31 | equipment. The maximum reimbursement allowances for inpatient  
 32 | hospital care shall be based on a rate of up to 140 percent of  
 33 | the Medicare inpatient prospective payment system ~~a schedule of~~  
 34 | ~~per diem rates~~, to be approved by the three-member panel no  
 35 | later than October 1st of each year for the following calendar  
 36 | year, ~~March 1, 1994~~, to be used in conjunction with a  
 37 | precertification manual as determined by the department,  
 38 | including maximum hours in which an outpatient may remain in  
 39 | observation status, which shall not exceed 23 hours. No later  
 40 | than October 1st of each year for the following calendar year,  
 41 | the three-member panel must approve ~~All~~ all compensable charges  
 42 | for hospital outpatient care, which shall be reimbursed at up to  
 43 | 140 percent of the Medicare outpatient prospective payment  
 44 | system ~~75 percent of usual and customary charges~~, except as  
 45 | otherwise provided by this subsection. Annually, the three-  
 46 | member panel shall adopt schedules of maximum reimbursement  
 47 | allowances for physicians, hospital inpatient care, hospital  
 48 | outpatient care, ambulatory surgical centers, work-hardening  
 49 | programs, and pain programs. An individual physician, hospital,  
 50 | ambulatory surgical center, pain program, or work-hardening  
 51 | program shall be reimbursed either the agreed-upon contract  
 52 | price or the maximum reimbursement allowance in the appropriate

53 | schedule.

54 |       Section 2. Effective January 1, 2015, paragraph (b) of  
55 | subsection (12) of section 440.13, Florida Statutes, is amended  
56 | to read:

57 |       440.13 Medical services and supplies; penalty for  
58 | violations; limitations.—

59 |       (12) CREATION OF THREE-MEMBER PANEL; GUIDES OF MAXIMUM  
60 | REIMBURSEMENT ALLOWANCES.—

61 |       (b) It is the intent of the Legislature to increase the  
62 | schedule of maximum reimbursement allowances for selected  
63 | physicians effective January 1, 2004, and to pay for the  
64 | increases through reductions in payments to hospitals. Revisions  
65 | developed pursuant to this subsection are limited to the  
66 | following:

67 |       1. Payments for outpatient physical, occupational, and  
68 | speech therapy provided by hospitals shall be reduced to the  
69 | schedule of maximum reimbursement allowances for these services  
70 | which applies to nonhospital providers.

71 |       2. Payments for scheduled outpatient nonemergency  
72 | radiological and clinical laboratory services that are not  
73 | provided in conjunction with a surgical procedure shall be  
74 | reduced to the schedule of maximum reimbursement allowances for  
75 | these services which applies to nonhospital providers.

76 |       3. ~~Outpatient reimbursement for scheduled surgeries shall~~  
77 | ~~be reduced from 75 percent of charges to 60 percent of charges.~~

78 |       4. Maximum reimbursement for a physician licensed under

PCS for HB 1351

ORIGINAL

2014

79 chapter 458 or chapter 459 shall be increased to 110 percent of  
80 the reimbursement allowed by Medicare, using appropriate codes  
81 and modifiers or the medical reimbursement level adopted by the  
82 three-member panel as of January 1, 2003, whichever is greater.

83 ~~4.5.~~ Maximum reimbursement for surgical procedures shall  
84 be increased to 140 percent of the reimbursement allowed by  
85 Medicare or the medical reimbursement level adopted by the  
86 three-member panel as of January 1, 2003, whichever is greater.

87 Section 3. Except as otherwise provided in this act, this  
88 act shall take effect July 1, 2014.